FRIDAY, DECEMBER 18, 1863. IN SENATE.

The Secretary, in the absence of the Vice President called the Senate to order. Mr. HALE. Mr. Secretary, in the absence of the Vice President, I move that Hon. Solomon Foot, of Vermont, be chosen President pro tempore of the Senate.

The S-cretary put the motion, and it was agreed to; and Mr Foot took the Chair.

OATH OF OFFICE. The PRESIDENT pro tempore. The Chair will call from the table for consideration the following resolution, offered by the Senator from Massachusetts, (Mr. Sum-

Resolved, That the following be added to the rules of the Resolver, The Senate:

The oath or affirmation prescribed by act of Congress of July 2, 1862, to be taken and subscribed before entering upon the duties of office, shall be taken and subscribed by every Senator in open Senate before entering upon his duties. It shall also be taken and subscribed, in the same way, by the Secretary of the Senate; but the other officers of the Senate mry take and subscribe it in the office of the Secretary.

Mr. SAULSBURY. I preseme the Senate is aware that my colleague is the only person in this body who is at present to be affected by the adoption of the proposed rule. I think, sir, that he has a right to ask that there shall be a judicial decision of this body as to whether the

oath prescribed by the act of Congees is in conformity or not with the Constitution of the United States. With the view of having that question solemnly decided in this body. I offer the foll wing as a substitute for the resolution be fore the Senate:

Resolved, That the Committee on the Judiciary be in

structed to inquire whether Senators and Representatives in Congress are included within the provisions of the act entitled "An act to preser be an oath of office, and for other purposes," approved July 2, 1862; and whether the said act is in accordance or in conflict with the Constitution of the

I do not propose to enter into any discussion of this question now : I simply offer this as a substitute for the resolution. I have no doubt in my own mind as to the extent to which the act of Congress goes. It was decided by the Senate, on a solemn vote, in the early history of this Government, that a Senator is not a civil officer under the Government of the United States; and the act of Con gress simply provides that this oath shall be taken by offi cers in the civil or miltary service of the United States Again, sir, the oath requires that a Senator (if it be held to apply to Senators) shall purge himself, that he has not been in the past guilty of certain acts. Just as competent is it for the Senate to require that when a man presents

been guilty of the commission of an assault and battery, or any other off-nce against either State or Federal law.

But, as I said, I will not enter upon the discussion of this question now. I propose the substitute simply for this purpose, that the Sanate may formally decide, and decide too after the judgment of the Committee on the Judiciary upon that point, whether the act of Congress passed July 2, 1862, does include members of the Senate and member of the House of Representatives. I think that in justice to my colleague and in justice to gentlemen who may herea ter present themselves as members, it is proper,

is right, that there shall be a formal judgment of the

himself here with all the constitutional qualifications for a seat on this floor, he shall purge himself that he has never

Senate upon this matter.

Mr. TRUMBULL. Mr. President, the Senator from Delaware proposes a substitute for the rule which is pro-posed as an additional one, requiring Senators to take an oath in open Senate prescribed by an act of Congress; and he gives two reasons for offering that substitute and moving a reference of it to the Committee on the Judi-The first is that he desires a judicial decision by ciary. The first is that he desires a journal that the Senate of the United States as to the constitutionality the Senate of the United States as to the constitutionality the Senate of the United States as to the constitutionality that the senate of the United States as to the constitutionality that the senate of the United States as to the constitutionality that the senate of the United States as to the constitutionality that the senate of the United States as to the constitutionality that the senate of the United States as to the constitutionality that the senate of the United States as to the constitutionality that the senate of the United States as to the constitutionality that the senate of the United States as to the constitutionality that the senate of the United States as the United States as the senate of the United States as the United States as the United States as the senate of the United States as the United State of the law which requires this oath to be administered. do not know, sir, that another decision upon that subject will be any more satisfactory than the one which has already been made. The law referred to could not have been enacted without the sanction of this body; and when that law was under consideration it was objected to as being unconstitutional. It was argued in the Senate; that point was presented; and the Senate, notwithstanding the arguments that were presented against the constitutionality of the proposed law, thought proper to passthe bill. The House of Representatives concurring, and the President approving the bill, it became the law of the land. The Senate has decided that this law is constitutional, by its passage; and it is a novel proceeding, when it becomes the duty of Senators to execute a law of the land, that in the first place they are to refer the question whether the law is the law of the land or not, to one of the committee for consideration. It is as much our duty to obey a law as it is the duty of any other citizen in any portion of the we have decided that question, sir. It is not compe

tent for the Senate of the United States to say that an act of Congress is no law. We may, it is true, so far as this branch of the legislative department is concerned, pass a bill to repeal a law, but of ourselves we cannot repeal an act of Congress. We must have the concurrence o the House of Representatives and the approval of the Executive. It would be a novel, and it seems to me an unheard of proceeding, to refer this proposition to a committee to determine whether it is a law or not.

ware is, that be wants to know whether this law embraces Senstors and Representatives in Congress; and he repeats what has been said several times in the Senste, and I fear will come to be taken as a fact, that it has been decided that Senators and Representatives in Congress are not civil efficers. Sir, I should like to see that decision. I should like to know when and where any court or any legislative body ever decided that Senators and Representatives were not civil officers. I know of no such deci sion, and I undertake to say there is no such decision. know it has been decided that Senators and Representatives in Congress are not liable to impeachment; that they are not civil efficers in the sense of being liable to an impeachment. There is a very obvious reason for that.
All the parts of the Constitution of the United States are
to be construed together, so as to give effect to all its pro visions; and one portion of that Constitution provides for the expu sion of Senators by a two-thirds vote; and inas much as another mode of depriving a Senator of his seat is provided by the Constitution than that of impeachment, it was presumed that the provision frelating to the impeach ment of officers did not embrace Senators; but that deci sion by no means goes the length of deciding that Senators are not civil officers. But, sir, whether they are civi officers or not, it is competent for the Senate, by a rule, to require its members to take an oath. Therefore, there can be no impropriety in adopting this rule, even if the

law does not embrace Senstors.

I trust that this amendment will not be adopted, an proposition will not be referred to the Committee on the Judiciary. For one, sir, I should be unwilling to enter upon an investigation to determine whether a law which we had passed was constitutional or not, and to report to this body, for them to decide whether it was con stitutional or unconstitutional, after we had passed the

Mr. SAULSBURY. Mr. President, when the right to a seat on this floor of a member is questioned, he has the right certainly to have the judgment of the body as to whether be is entitled to his seat or not. It has never been decided by the Senate of the United States, by the House of Representatives, or by any other tribunal, that this act of Congr. as does include members either of the Senate or the House of Representatives. Admit, for the sake of the argument, that the act is entirely constitu-tional; to whom the act extends, who are the persons that come within the provisions of the act, has nowhere been determined by the Senste, by the House of Representatives, by the Judiciary, or by any other tribunal.

My collesgue (Mr. BAYARD) at the last session appeared in this body, took the constitutional oath, entered upon his duties as a Senator, was here in open session, was here in secret session, was here acting as a Senator after the statement deliberately made by the Senator from Illinois, the chairman of the Judicia y Committee, tha those who chose to take the additional oath might take it, and those who chose not to take it need not take it That was at a time when a debate sprang up which threat-ened to last several days, on the obligatory character of this oath. Then, sir, at the present session, after my col-league has acted in this b. dy, both in public and in secret session, this order is introduced. All that my collesque asks, all that I ask, is that before he is required to take the cath, some committee of this body, or the body itself, decide that the act applies to members of the Senate and members of the House of Representatives. Is there any

thing unreasonable 'n this? President, perhaps I may be justified in statingand I do it without any consultation with my colleague upon this matter—that the opposition which I have to the enforcement of this oath upon members of Congress, or the passage of this order by the Senate, does not arise on account of any matter or thing in the eath contained. There is nothing contained in it that I could not take, i necessary, every morning before breakfast; and I do ibt not there is nothing in it contained that my colleague could not take. It is from no such consideration that we oppose the adoption of this order; but it is because in our solemn judgment a Senator or Representative in Congress does not come within the provisions of this act, and that a Senator or Representative in Congress is not constitu-

tionally bound to take this oath.

The Senator from Illinois says that it has never been decided by the Senate or by any other tribunal that a member of the Senate is not a civil officer of the United Stat. s. I am surprised, Mr. President, at that declara-tion, when, as far back as 1798 or 1799, in the case of Blonn, a Senator in Congress, it was, in express terms, decided that a Senator was not a civil officer under the Government of the United States. The words of the resolution proposed on that occasion declared that he was a civil officer, and that was negatived by a formal vote of the heuste. I have not the case before me, but it will be presented to the Senate before this discussion closes.

That office, if office it be, is conferred upon him by his State; and although, in these times, it may be considered that there are no such things as States, or that there ought not to be any such things as States, yet the framers of this Government thought that there was such political communities as States; they recognised them as pos-seesing certain rights, and the Constitution gave them the power of appointing their Senstors as representatives, not of the mass of the people, but as the representatives of their States in the Senate of the United States; and all the authority that they have to act in this body, as derived under the Constitution of the United States, is through the action of their States, and not through any action of the Federal Government or any of its depart-

But, sir, I will not discuss the question. There is no thing unreasonable in my proposition that this subject be referred to the Committee on the Judiciary, and that they inquire into this simple question—that is the only question which the substitute proposes that they shall inquire into—whether a Senator or Representative is included in the provisions of the act referred to?

The debate was continued at considerable length by Mr. JOHNSON, of Maryland, and Mr. COLLAMER, of Verment, in favor of the reference, and by Mr TRUMBULL, Mr. SUMNER, and Mr. CLARK against it

Mr. BAYARD, of Delaware, said: Mr. President, I did and I do not now intend, to enter into any dis-cussion of this question: though perhaps I am the only Senator who will be personally affected at all by the ope-ration of the rule. Some remarks have been made, however, that seem to be founded in an oversight of what has ecurred, and therefore I wish the facts to be placed rightly before the Senate.

The law referred to was passed on the 24 of July, 1862.

It went into effect on that day At the last session of the Senste of the United States Mr. Field, of New Jersey, Mr. Wall, of New Jersey, and Mr. Arnold, of Rhode Island all took their seats without reference to that law or the oath it prescribes, and held them, without a word from any Senator, or any objection in connexicu with it, until the end of their respective terms. At the organization of the Senate at the present Congress Senators were admit-ted to their seats and sworn in without reference to it. The question was raised afterwards by the Senator from Massachusetts So far from there being a five days de bate upon it, when that question was first raised I made a proposition to postpone it until the present s ssion on account of what I considered to be the gravity of the questions involved, both of which I stated would have to be lecided, declining to argue them then. On the succeeding day only—I think the succeeding day certainly, and no more—the debate was cut short by a proposition under which the motion for the rule was withdrawn and the voluntary action of Senators who were present taken. I was not present. I only saw the report in reference to it By voluntary action they took the oath. That they had the undoubted right to do. But the question whether it was obligatory, whether, in other words, it included mem-bers of Congress, and whether, if it included them, it was

within the constitutional power of Congress to pass such a law, was certainly not passed upon by the Senate.

Considering the setion of the Senate, therefore, in suffering three distinct members of this body to hold their seats for long periods of time, who were within the law as much as any member can be now; considering also its acion in not making such a question during the whole of the last session of the Senate, and waiving as it did, by voluntary agreement, any decision of the question at the commencement of the called session, I took it for granted that the Senate thought the question had better be decided at some subsequent time, if it became necessary in conse-quence of any member declining to take the oath. That is the state of the facts. The opinions of gentlemen may be made upon it, but it cannot be that every member of this body, especially the Senators who have taken their seats only at this term, have made up their minds on questions like this. My own conviction is made up, and it is because it is made up, and made up as the result of in-vestigation, that I am unwilling, without a decision of the

Senate, voluntarily to take that oath.

I am perfectly aware that there are many men—some from partisan feeling, some from personal distrust, or what you will—who will suppose that it is want of patriotism in me, and that I will not take that each because my acts and conduct would not permit me to take it Sir, I should be sorry that any respectable man should so judge of me I think my past life and conduct ought to be a sufficient answer to that. But I can say without hesitation that, barring my views of the dangerous unconstitutionality of the law, I could take that oath without a moment's hesithe law, I could take that oath without a mounts have taken as readily as any member of this body. That is all I have to say or mean to say in reference to that part of the subject. The Senate can decide for themselves whether they choose to refer this matter, which is the ordinary ceurse of action on questions of this kind, or whether they choose to precipitate action by requiring the debate to go on without any reference to or report from a committee on questions, one of which is certainly now raised for the first time, and the other was raised and decided in terms y the Senate over sixty years ago, against the law of 862. In terms, the Senate, in the case of Blount's im peachment, on a resolution, propounded by those who favored the sustaining of the impeachment, that a Senator is a civil officer under the United States, decided that he was not by a vote of 14 to 11.

The debate was further continued by Mr. McDOUGAL, Mr. POWELL, Mr. TEN EYCK, Mr. SUMNER, Mr. SHERMAN, Mr. DOOLITTLE, and Mr. FESSENDEN. Mr. SUMNER held that the Senate had never solemnly enator; and that, so far as the decision in the case of Blount bore upon that question, it was simply that a Se ator was not a civil officer for purposes of impeachment. But that was not the present question. The question now s, whether the words in the statute were intended to emraced Senators.

Mr. SHERMAN read the law to show that there is no such word as " civil officer" in it. Its language, be said, was very broad. It is as follows:

"That hereafter every person elected or appointed to any office of bonor or profit under the Government of the United States, tither in the civil, military, or naval department of he public service," &c.

Mr. POWELL, in the course of the discussion, read a part of the record in the case of Blount, consisting of the following extract from the plea filed by Mr. Ingersoll and Mr. Dailas, who appeared as counsel for Blount:

"That proceedings by impeachment are provided and per tited by the Constitution of the United States only of m tted by the Constitution of the United States only on charges of treason, bribery, or other high crimes and misde-meanors, alleged to have been committed by the President. Vice President, or any civil officer of the United States, in the execution of their offices held under the United States, as appears by the fourth against the Constitution of the Constitutio the execution of their offices held under the United States, as appears by the fourth section of the 'second article, and the seventh clause of the third section of the first article, and where articles and clauses contained in the Countitution of the United States. That, although true it is that he, the said William Blount, was a Senator of the United States from the State of Tennessee at the several periods in the said articles of impeachment referred to, yet that he, the said William, is not now a Senator, and is not now as he at the several periods. of impeachment reserved to, yet that he, the sid windin, is not now a Senator, and is not nor was he at the several pe-riods so as aforesa'd referred to, a civil officer of the United States; nor is he the said William, in and by the sid arti-cles, charged with baving committed any crime or risale-meanor in the execution of any civil office held under the United States, nor with any mal-conduct in a civil office, or abuse of any public trust in execution thereof."

Such was the plea. There was a replication to that, and hereupon issue was joined, and upon that the Senate deided the case of Blount. It is clear, he said, that the senator from Massachusetts was utterly mistaken about

the issue in that case

Mr. SUMNER said it was perfectly well understood that it was on a trial of impeachment; and I believe his ory records also that one objection to the proceeding by impeachment was, that this person, being a Senator, was liable to be judged by his own body; that the Constitution and provided a specific mode by which the offence of a senator could be punished; that is, by expulsion from the pedy; so that the proceeding by impeachment was super-

Mr. SAULSBURY, supposing his motion to be misap prehended, stated during the debate that he had offered his amendment by way of substitute to the order of Mr umper, and moved that the whole matter, both the order nd the smendment, be ref rred to the Committee on the Indiciary, that they might report to the body upon the whole subject. He did not wish a vote in the Senate at that time upon the adoption of the substitute, but he had proposed it as a matter for the consideration of the Comnittee on the Judiciary, together with the original order se presented by the Senator from Massachusetts; and h red his proposition to be put in that form.

The reference was refused by the following vote: YEAS-Menus. Buckslew, Collamer, Cowan, Davis, Foot. Parding, Harris, Henderson, Hendricks, McDougall, Nesmith, Powell, Saal:bury, Sherman, and Wright—15.

Navs—Wests. Anthony, Brown, Clark, conness, Dixon, Dolittle, Fessenden, Fos er, Grimes, Hale, Harlan, Hicks, Howard, Howe, Lane, of Indiana, Lane, of Kausas, Morgan, Morri I, Pomery, Ramsey, Sumner, Ten Eyck, Trumbull, Van Winkle, Wiley, and Wilson—26. The debate on the proposition itself was continued until

the Senate went into Executive session, after which the body adjourned to Monday.

> MONDAY, DECEMBER 21, 1863. IN SENATE

The VICE PRESIDENT laid before the Senate a com munication from the Secretary of the Navy, transmitting, n answer to a resolution of the Senate of February 20 1863, a copy of the record of the proceedings of a naval general court-martial, convened at the Boston pavy yard n January, 1863, in the case of Commander Charles Hunter, of the navy; which was referred to the Committee

PETITIONS PRESENTED.

By Mr. DIXON: Six petitions of bishops of the Pre testant Episcopal Church in the United States, praying for such a modification of the enrollment set that clergy men and candidates for the ministry, engaged in clerical studies, shall be regarded as non-combatants, and employ-

which were referred to the Committee on Military Affairs and the Militia.

SOLDIERS' BOUNTY AND PAY. The Senate, as in Committee of the Whole, proce o consider the bill to increase the bounty for volunteers

and the pay of the Army.

It provides that there shall be paid, in such installments as the Secretary of War may determine, to such persons as have collisted under the proclamation of the President of the United States, dated October 17, 1863, calling for It provides that there shall be paid, in such installments as the Secretary of War may determine, to such persons as have enlisted under the proclamation of the President of the United States, dated October 17, 1863, calling for three hundred thousand volunteers, and to such persons as may hereafter voluntarily enlist in the regular or volunteer service of the United States for the term of three years, the following bounties, namely: to veterans who have been in the military service of the United States for time months, and have been honorably discharged, and to those veterans in service under enlistments for three or more years who may re-enlist for three or more years or during the war in the companies or regiments to which more years who may re-enlist for three or more years or during the war in the companies or regiments to which they belong, and who may have at the date of such re-enlistment less than one year to serve, \$400; to all other persons, \$300. The Secretary of war is to be authorized also to pay a premium not exceeding \$25, under such regulations as he may deem expedient, for the enlistment of a veteran volunteer, and a premium of not more than \$15 for the enlistment of any other volunteer; and the sum of \$20,000,000 is to be appropriated by this act in payment f the bounties which it authorizes. From and after the 1st day of January, 1864, the pay

er month of non-commissioned officers and privates in he regular army and volunteer forces in the service of the United States is to be as follows: sergeant majors of cavalry, artillery, and infinitry, \$23; quartermaster sergeants of cavalry, \$23; of artillery and infantry, \$20; first sergeants of cavalry, artillery, and infantry, \$23; sergeants of cavalry, artillery, and infantry, \$19; sergeants of ordnance, sappers and miners and pontoniers, \$34; corporals, \$20; privates, first class, \$18; second clars, \$16; corporals of cavalry, artillery, and infantry, \$17; chief buglers of cavalry, \$23; buglers, \$15; farrier and blackemiths of cavalry, and artificers of artillery. the United States is to be as follows: sergeant majors of and blackemiths of cavalry, and artificers of artillery, \$18; privates of cavalry, artillery, and infantry, \$16; principal musicians of artillery and infantry, \$22; musicians of artillery and infantry, and musicians of sappers and miners and pontoniers, \$14.

All enlisted persons of African descent who have been or may be mustered into the military service of the United States are to have the same uniform, clothing, arms, equip

meets, camp equipage, rations, medical and hospital atten-dance, and pay as soldiers of the regular or volunteer forces of the United States, of like arm of the service. Whenever the President shall call upon the several States for such number of men for the military service of the United States as the exigencies of the country may require, the quota of each ward of a city, town, or town ship, or of a country, where the county is not divided nto wards, towns, or townships, is to be, as nearly as possible, in proportion to the number of men therein liable to render military service, taking into account, as far as practicable, the number which has been previously furnished therefrom; and in ascertaining and filling such quota, there must be taken into account, as far as practi-

he naval service of the United States. Chaplains, when absent from duty by reason of wounds r sickness, are to be allowed full pay without rations, and half pay with rations during absence on leave occa-sioned by other causes; and chaplains who have been absent from duty by reason of wounds or sickness are to be entitled to receive full pay without rations during such

able, the number of men that have entered or may enter

The first amendment of the Committee on Military Afsirs was to strike out " hereafter" and insert " prior to the th day of January, 1864;" so that it would read, "prior o the 5th day of January, 1864, voluntarily enlist," &c.

This amendment was agreed to.

The next amendment was to strike out "in the compa ies or regiments to which they belong."

Mr. HARRIS. I am not in favor of striking out the words. In my julgment, one of the most promising fea-tures of the present day is the inclination of the regiments of three years' men to re-enlist. They are beginning to do so pretty freely; and if there is any thing which gives promise of success for the ensuing year, it is the fact that those regiments are about to re-enlist. Now, sir, strike out this provision in this section, and you throw the whole matter open, and instead of re-enlisting in their own organizations you will find that the soldiers now in the field who are authorized to re-calist will be going from the inabout and breaking up the present organizations. This, in my judgment, would be most diastrous to the army. I hope, sir, that this feature will be left in the bill, and that it will be understood that those three years' men whose term is about expiring will re-enlist in the same organiza-tions in which they are now found. I regard this as a valuable feature of the bill, and I hope it will not be stricken

Mr. WILSON. In the original bill, as it was introluced, we confined the bounty to veteran soldiers re-enlisting—to those re-enlisting in their companies and regiments. I did it with some considerable rejuctance, and after consulting with the Secretary of War. The committee, however, thought otherwise. The great object was to get men, and there are a great many men who are willing to re-culist who will not re-culist in their own companies or regiments. We had facts presented to us showing, in some cases, that there were two or three hun-Soldiers who are infantry soldiers may desire to go into try to another. Men being in one section of the country may re-colist to go into a regiment several hundred miles away. That may add to the expense somewhat. That we shall obtain the re-enlistment of more men by striking out these words I have not a doubt. That it may put a heavier burden, more expense on the Government, a make some little disturbance of organizations, is admitted think the committee saw that; but they thought the object was to get men, and therefore they have me strike out this limitation. I am not strenuous about it

myself, however The amendment was agreed to

The next smendment was to insert:

"And : fter the 5th day of January, 1861, there shall be no bounties paid by the United States Government to substi-tutes, and none to enlisted or drafted men, except the bounty \$100 now provided by law.

Mr GRIMES moved so to amend that persons collisting into the marine corps should be placed on the same footing as voldiers.

Mr. SHERMAN. I think reflection will convince the

Senator from Iowa that his amendment will be inoperative, for the reason that marines are not included in the proclamation referred to in this section of the bill—the rocismation of the President of the United States of Ocober 17. This section limits the bounty to all who shall dist before the 5th day of January Mr. FESSENDEN. After that we give a bounty to

wery body.

Mr. SHERMAN. Of one hundred dollars only. Mr. GRIMES. My amendment will give them

Mr. SHERMAN. I think-and indeed I believe we all think—that the assumption by the authorities of the power to give bounties was without law. It was probably the greatest stretch of power that has been exercised during this war. I do not know whether it was necessary or not. this war. I do not know whether it was necessary or not. I think it was not necessary. I believe that if the authorities had in good faith, commencing last March, enforced the law which was provided for them according to the terms of the law by the month of July they would have had the army filled up. There is no doubt of it, in my judgment. They seem to have delayed action, to have it put off from day to day, showing timidity, arxiety, fear the state of t of the people; deterred at one mement by the mob in New York, at another by threatened political movements in other parts of the country, and finally, in October last, they fell upon the measure of offering bounties without

This section of the bill, if it passes, will, in my judgment, involve the expenditure of over one hundred million dollars. There are three hundred thousand soldiers called for. The bounty offered to veterans is \$400 each; to ther persons \$300 each. Counting one hundred and fifty thousand, or one balf the number required, as veterane Senators can figure it up for themselves—and it amounts to over one hundred million dollars—an immediate demand on the Tressury of the United States. This money has not been paid out; no portion of it has been raised except at 200,000 and in as commutation money. I sak the \$12,000,000 paid in as commutation money. I ask Senators whether, under the present condition of affairs, they ought not to look a little into the subject before they legalize what may amount to an immediate demand on the Treasury of the United States for over one hundred mil-

I have made up my mind to acquesce in the in-crease of the pay of the soldiers, because the ircreased price of living to their facilies renders it necessary to price of living to their facilies renders it necessary to make that increase; but, in my judgment, this system of boudties was not necessary. I do not know that there is any hope of resisting it. I presume that the people of the United States, who have shown their trust and faith in the Government, will raise this money; but I believe it would have been wiser if the War Department had left the matter to the people at home. There is not a community in the United States where they have not voluntarily, by their own action, raised the necessary bounts. In rily, by their own action, raised the necessary bounty. In some portions of the country where there is an accumulation of wealth, as in Massachusetts, they gave very large bounties, and they raised them by the voluntary offerings of the people. In the Wegt, where money is not so easily had, where the price of labor is not so high, the bounty is not so large, but it has been uniformly raised by the peo-ple, through their own organizations, either by voluntary subscriptions, of by counties or States or communities. The little city in which I live has already raised by voluntary bounties every soldier demanded under this last draft,

hesitate a hittle about sanctioning this enormous bounty system. I shall vote for the bill in any shape it may assume, but I shall vote against this first section, because I believe the men could be raised by the fair enforcement of the conscription law with such amendments as the wisdom of Congress may devise, and without burdening the Treasury with the enormous demand of over one hundred million dollars. I know it is said that the three hundred

time of war we admit that the executive authorities mus often exercise plenary powers, and go beyond the limits and terms of the law. I think there are cases of that kind where they may be justified by the necessities of the case. I do not believe, however, that this is such a case: but I thick from a timidity, from a fear to enforce the law as it was prescribed by Congress, the executive authorities have made it necessary to call upon the Secretary of the Treasury for a large sum of money, which no doubt he may be able to raise, but it adds very much to the burden already thrown upon that Department of the Government.

Mr. WILSON. Mr. President, I think the passage of the first section of this bill, with the limitation put upon it, that it is only to continue until the 5th day of January I agree with the Senator from Ohio that the offer of these bounties by the Government was made without authority of law. The Government had no authority to offer loun-ties for any persons to enlist beyond the *xtent of the amount already received as commutation. But, sir, there had been a great deal of misrepresentation in the country in regard to the enrollment act, or conscription act, as some choose to call it. Its results as well as the act itself had been misrepresented. It was said to be a failure. Sir, it was not a failure. If not a great and eminent success, it was no failure. The Government made a draft of about one-fifth of the persons enrolled between the ages of twenty and thirty-five years in some of the States. The Government undertook to raise a class of very perfect men. The Government said that in the volunteer service a great m ny men had been enlisted who had broken down after a few months' service, and that we ought to have nothing but perfect men. They made, I think, one hundred and twenty-four causes of exemption, and I under-take to say that any enrolling board could let off nearly every drafted man under these exemption clau es. Abou one-fourth of all the persons drafted throughout the Uni-ted States were held to service. About sixty thousand men were placed in the service, either as drafted men or as substitutes, and about forty thousand men paid the com-mutation, and the Government was authorized to offer bounties to that extent, which would raise forty thousand men, and no more.

The Government then, instead of going on and making mother draft, in which, beyond all doubt, in drawing the same number of men, they would have obtained at least twice the number of soldiers or twice the amount of money obtained by the previous draft, called on the 17th of Octo-ber for three hundred thousand men, promising to pay veterans a bounty of \$400 and other persons \$300. Sup-posing they obtained the men, one half from each class, here was a promise of \$105,000,000 as bounties. The Government had then about nine million dollars paid in as commutation; the Government has now about twelve milions. That was all the money the Government had to pay

the bounties promised. Now, sir, the first section of this bill undertakes to legalize and to fulfill the pledge made by the Government to the people of the country and to the States. The proposition of the Government is limited to the 5th day of January next. The promise was that persons enlisting before that day, the 5th day of January, should have these bounties. We propose to accept the proposition and to fulfill the promise; but we propose to close it on that day and fall back upon the bounty of \$100 for persons who are dratted or who volunteer after that day, not allowing it however, to sub-titutes. We require the man who is drafted to pay the whole sum himself to get a substitute.

I agree with the Senator from Ohio that it is a very portant to be careful as to what sums, either for boun ties or any thing else, we pay in carrying on the war. It is important that we should be careful to keep the credit the Government sound, the Treasury full, the currency solid, and the productive industry of the country pros-perous. The Senator says that, in his judgment, the larger port on of the three bundred thousand men called for by the proclamation of the President of October 17th have been raised. I think the Senator must be greatly mistaken do not believe that one-third of the number have been raised, or that more than one-third of the number will be raised by the 5th day of January next. The Government asks now for \$20,000,000. That \$20,000,000 will only pay the bounties for between fifty and sixty thousand men. It is said that we have now men enlisted who have been colisted for two or three weeks, and that there is no money appropriated to pay them. I think we had better fulfill the pledge of the Government, and to do it we must stand

by the first section of this bill.

Mr. HENDRICKS. Mr President, the debate which showing, in some cases, that there were two or three hundred men in a regiment that would not do it. Still, evils amendment, but upon the question which has been raised between the Senstor from Ohio and the chairman of the Committee on Military Affairs. Upon that question I dethe artillery or into the cavalry, and perhaps too many of the method deere to go into those arms of the service, and in that respect it may make some little difficulty. Then it will occasion some movement from one part of the coundrate. Committee on minters the connection of the coundrate of t try that the army can be supplied with men by volunteer ing; and although the Senator from Massachusetts will not adm't that the draft has been a failure thus far, he wil hardly claim that it has been a success. [Here Mr. H. recited many statistics of the late draft, which he thought could not be claimed as a success.]

But from the commencement of this war every effort or the part of the Administration to secure troops by appeals to the patriotism of the people, by appeals to their desire to provide for their families before they enter the service by giving them bounties, has been a success. At least, prior to the issuance of a proclamation by the President which I shall not now discuss, there was no failure in th volunteer system. I claim that it was a success; and I may venture to say an army of volunteers is a better army than an army of conscripted men. They go freely, cheer fully, and they serve freely and cheerfully. You can hard ly expect an army composed of men who are forced to go, when their interests will scarcely allow them to go, when the condition of their families will scarcely allow them to go, to be as valuable an army in the field as one made up of volunteers. I claim, therefore, that the effort on the part of the Government to obtain its troops by volunteering has been a success, and the effort to raise troops by

raft has been a failure
What, then, is the plain duty of Congress? With these facts before us, is it not our plain duty to undertake to fill up the army by volunteering rather than by a draft? I do not ask that the draft law be repealed, for I know that such a motion in this body would not prevail; but it were better that it were repealed, in my judgment, and that the Government should pay liberal bounties to the soldiers in advance of their going into the field, in order that they might well provide for their families during their absence. It ought to be the permanent policy of the Government to fill up the army by volunteers and not by drafted men, and my votes on this subject shall be gov-

erned by that policy. Senators have criticised the course of the Administra tion in offering this bounty of \$300 Of course I am not going to say that the Department did right in offering a bounty of \$300 beyond the amount of money received from those who paid commutation money instead of going into the service under the draft, for in that they did not act according to law; but the purpose of the Administration was right, and that purpose of the Administration Congress ought to endorse by giving liberal bounties, in stead of enforcing what must be an unpopular law in the ountry-the drafting law.

question was taken on the amendment offered by Mr GRIMES, and it was rejected. The question then recurred on the amendment proposed by the committee.

Mr. HARRIS. Mr. President, I have not much ex peciation that the report of the Committee on Military Affairs will be changed by the Senate; but I am at a loss Affairs will be changed by the Senate; but I am at a loss to understand the policy which has governed the committee in reporting some of the provisions of this bill. The bill, as it now stands, might very property be called "a bill to stop all recruiting after the 5th day of January next." If that is the policy of the Committee on Military Affairs they have reported a bill which will carry out their wishes. Does any Senator suppose that after the Government at the standard parties this bounds of \$200 of ment shall have stopped paying this bounty of \$300, of fered by the proclamation of the 17th of October, any citi zen disposed to enter the army will enlist? After bounties of \$300 and \$400 have been offered, \$400 to veterans and three hundred to other citizens, and that has been withdrawn, will there be any volunteering after that? I apprehend the Committee on Military Affairs does not I apprehend the Committee on Military Allairs does not expect it. Their policy, therefore, seems to be to stop recruiting after the 5th day of January. I am opposed to that policy. I agree with the Senator from Indiana that it is far better that we should fill up our army with yolunteers, if it be possible. If it be not possible then I say draft, but first let us try volunteering.

The Senator from Ohio has criticised the conduct of the

Government in offering these large bounties on the 17th of October last. Sir, I think, if any one measure that has been adopted by the Government recently has met with general appropriation it is that measure. The Government had in hand some twelve million dellars received from commutation money. How was it to be appropriated?
Of course to the raising of soldiers. But it is said the
bounties that they offered amounted to a larger sum than
the amount of the commutation money. Well, sir, if that the amount of the commutation money. Well, sir, if that be so it is the good fortune of the country that it has fur-

Is he a civil officer under the Government of the United States? How does he hold his place in this body? What be levied upon every elergyman and candidate for the middle of the General Government confers upon him department of the General Government confers upon him listry liable to draft, unless he chooses to be corolled:

It seems to me, under the covernment of the United by the best of the bill will not add one particle to nished us with more coldiers than the number of drafted their ability to make up their quota.

It seems to me, under the circumstances, we ought to purpose the control of the commutation of the United by the control of the United the passage of this bill will not add one particle to nished us with more coldiers than the number of drafted their ability to make up nished us with more soldiers than the number of drafted men who paid their commutation. In my judgment if by going on with this system of re-ruding we could expend \$100,000,000 in raising three hundred thousand men by the 1st of March next, so that on the 1st of March we could send into the field an army of three hundred thousand men, it would be the best possible investment which this Government could make. Is there a Senatur here who would not to-day cheerfully vote to pay \$1,000,000,000 for an army of three hundred thousand men to be put in the field on the 1st of March? I apprehend there is not a patriotic man in the country who would not endorse such a patriotic man in the country who would not endorse such an appropriation as that; and yet the effect of this bill is to stop just that process on the 5th of January. Sir, I am opposed to the whole policy of this measure. Mr. FESSENDEN. Mr. Presiden', I agree measur

ably with what was said by the Senator from Ohio. I believe there has been rather a mistake in the policy of the au horities with reference to this subject, and a mistake too on our part. I believe that the continued offer of bounties, and the continued increase of bounties, inof bounties, and the continued increase of bounties, in-stead of having a tendency to increase and promote the patriotism of the people, has had a tendency to diminish and destroy it. The effect has been, in my judgment, car-ried on at such a rate as it has been, especially in my sec-tion of country, to turn the attention of the people from the fact and the consideration that every man owed to the Government when necessary his personal service, which as a citizen he was bound to render, to the question, hew much can we make by holding off a little longer before we volunteer?" And the system, as now proclaimed, going on as it does, must necessarily be one that increases and enlarges from day to day. In fact, the question how much bounty should be raised has been carried into party politics, and politicians have vied with each other as to which should be the loudest in calling for bounties. The result has been that we have discarded the really patriotic feeling at the bottom, which would have given us men enough had we adhered to any regular system, and put the enough had we adhered to any regular system, and put the matter upon the right ground and the correct principle from the beginning, and that is, that every man who is able to render it owes his personal service to the country in it hour of peril. Now every one has had his attention called off to the question of how much he can get if he waits a little longer before he enlists. There was patriotism enough to begin with, and there is patriotism enough among our soldiers and our citizers now, but we are eternally prating upon this question of how we shall accomplish this thing. I say again distinctly, and I call the attention of Senators to it, that we have lost ground in the country, and our patriotism has been cooled, by the effort country, and our patriotism has been cooled, by the effort to put down the idea which lies at the bottom of all, and that is, that no man has a right to refuse his personal ser-vice when it is called for by the country. That is the

proper system and principle, which we should always stand by.

But, sir, we have adopted the principle of paying bounties and of bidding bounties to induce men who are able to serve their country to enlist. The question then is, not with what we are the best but the form of the principle. with what we are to begin, but how far we are to go, and that returns upon us It is not a trifling consideration whether we are to pay \$100,000,000 more or less this week, and \$100,000,000 six months hence, and another \$100,000,000 twelve months hence. It is very easy to stand here and talk about what the system should be; that it should be to offer bounties. It is another question to raise the money to pay them; and I ask my friend from New York, who is a financier, if he is able to tell me how long we may go on at the rate of a thousand millions a year, and the country will be content with it. He has undoubtedly considered such a question, and perhaps can

I believe with my friend from Ohio, if I understood him rightly, that the Government should adhere to the law We provided for a draft of so many men, and we provided We provided for a draft of so many men, and we provided an exemption clause, on the payment of a certain sum of money, for the purpose of enabling the Government to supply the places of those who paid that commutation. So far as money was paid in for that purpose, the Government had a right to apply it for bounties. But they got a great many more men who were to be paid bounties than they got of men who paid the exemption; and that is precisely the difficulty now, and precisely the reason why there is a large sum of money due or promised and nothing to pay it with. That was an oversight; but what did they do? They made the offer. The result has been that men have gone into the service. They were promised by the have gone into the service. They were promised by the executive authorities—not with our permiss questionably in good faith, and doing what they suppose to be the best thing they could do—a given sum of money and they have enlisted. Now, what do you propose to do You must pay that sum, or, if you are honest men, you must discharge them from their enlistment—one or the other you ought to do. We cannot, with any sense of justice between man and man, accede to any such doctrine as that we may make a promise to men to enlist and then hold them to service without performing our promise. We must therefore pay what has been promi-

The question then arises, do you mean to keep up that system and abandon your law? The law either cught to be enforced or abandoned. We ought to have a draft or the policy, and, in my judgment, it should be enforced. Spend the money you get from exemptions in bount es for the purpose of filling up the ranks; but there is no seeing how long the credit of this country can continue what it is if we are to go on recklessly and spend money as if we had more than we knew what to do with. I do not undertake to say that the draft, so far as it has gone, bas been a success exactly. I do not think it has; but I think its want of success has been owing to the blundering manner in which it was attempted to be carried ou', rather than to any thing in the law itself. It may be found, more than any thing else, in what was alleged by the honorable Senator from Massachusetts—in the fact that there was such a list of causes of exemption from service that it was exceedingly difficult to find any body who did not come within some prevision of them. I know it was so in my section of the country, and that the boards were compelled to discharge able-bodied men, under the rules thus made, who were fit to go into the field. My opinion is that the executive amberities should have reneal d their that the executive authorities should have repeal d their rules, made a better set of regulations, and gone on with the law. It is not their business to say whether a law is good, bad, or indifferent; whether it works well or other Their business and duty is to proceed under it, and not to adopt a new system which is not provided for by law at all. I give all credit to the motive, to the intention. I sustain the Government thoroughly in all its acts although they may make mistakes, for I believe they arise from a devotion to the true interests of the country, and a desire to accomplish the great purpose which we all have so much at heart. I do not undertake to quarrel with them; but I say that the duty of the Government is in all cases to carry out the law as it is made; and if Congress says they are to raise men in a given way let them take that way, of wait, if it is po sible to wait, until Congress shall say in its turn that they h ve provided or will provide a better. I say therefore, sir, that I shall vote for this provision as a matter of course. We must discharge our obligations

to these men that are already enlisted. Mr. LANE, of Indiana. Mr. President, there are bu two modes of raising an army—one by volunteering and the other by a draft. It seems to me that much of the d fliculty of our situation has been incurred by attempting to carry on at the same time two systems independe each other, and in some respects antagonistic to each other. The very theory upon which the conscription bill of the last session was passed was that by voluntary enlistments the army could not be filled in sufficient numbers and with sufficient promptitude. Upon that basis the con-

scription act of the last session was passed.

Much has been said in reference to the operation of the draft and to the \$300 exemption clause under it. If you rely upon the system of v. lunteering alone, then you should offer sufficient bounties to induce the voluntary enlistment of soldiers in the army of the United States; but if you rely upon the draft then it seems to me you should carry it out. Both systems cannot be carried on at the same time, for at every point they antagonize with each other. What has been the effect of this \$300 exemption clause? The exemption, as it seems to me, operates in this wise simply: to raise money to the Treasury upon the enforcement of the draft, and not to bring the drafted men into the service of the country; for no man who can raise the ment of the draft, and not to bring the drafted then into the service of the country; for no man who can raise the \$300 will go into the service, and there are very few who by themselves or friends cannot raise the \$300 exemption. In addition to that many cities, towns, and townships have entertained seriously the proposition of taxing the whole people to rase the \$300, so as to buy off the whole quota under the conscription law. If this \$300 exemption clause is suffered to remain in any conscription law I promise you that you will get but few soldiers under it in the future as you have in the past.

We wish an a my in the field, and in the field imme distely, and not at the end of one year. If this law is not amended, and if you intend to carry it out as it stands, it will take more than one year to go through with the examinations alone which you provide for in your bill. At the end of the year we find that we have got four hundred and transfer in the number when the and twenty six thousand men, less the number who may be reported as deserters; but the astounding fact is also found that to all who furnish substitutes, or who have paid commutation money, six sevenths of the mill in the country ascertain granted certificates giving a pledge that the Government will not call upon them for military service for three years. If this law is enforced, and the war is to last more than one year—which God forbid!—you will find that your draft leaves you standing without an army. Then you must rely, as it seems to me, upon the most rigid enforcement of the draft law.

I ask you, then, either to carry cut the conscription law in its terms or to abandon it altogether and rely upon volunteering. Those two systems do not harmonize; they do not go together. You must make sufficient inducements by bounties and increased pay, to fill up your armies by volunteering, or you must fall back upon the draft. I believe that from the beginning the draft would have been the more just, the more economical, and the more

been the more just, the more economical, and the more proper way of filing your armies.

The debate was continued at great length upon the details of the bill, and also upon the operation of the deatt and the relative merits of the two systems of filing the army by volunteering and drafting, by Messra. HOWE, FESSENDEN, WILSON, COLLAMER, SAULSBURY,

During the debate the pending amendment was amended, by inserting the "2d day of February" in lieu of 5th day of January."

The Secate adjourned leaving other amendments still

HOUSE OF REPRESENTATIVES. The SPEAKER announced that be had appointed Mr. WINDOM as a member of the Committee of Claims, in place of Mr. ASHLEY, excused.

DEFICIENCY BILL. Mr. STEVENS. I ask a unanimous consent of the House to report from the Committee of Ways and Means a joint resolution to supply in part a deficiency in the appropriation for the public printing, and to supply a deficiency in the appropriations for bounties and premiums for younteers. Mr. HOLMAN. I ask that the joint resolution be read

for information.

Mr STEVENS. With the permission of the House I desire to make a brief statement. The first item of this joint resolution is necessary to pay the hands in the Public Printing Office. The money was due on Saturday, and they cannot very well get on without it. The second item is for the ony of the bounties to volunteers; and the Secretary of War says the money will be required before the recess or holydays. If those two items are passed, the Committee of Ways and Means will not offer any further. Committee of Ways and Means will not offer any further appropriation bills until after the recess.

The joint resolution was read a first and second time.

The joint resolution was read a first and second time. It appropriates \$50,000 to supply deficiencies, in part, for public printing. It also appropriates \$20,000,000, or so much thereof as may be required, for the payment of bounties and advance pay and premiums for soldiers volunteering or enlisting in the service of the United States. The SPEAKER. Is there objection to the proposition made by the gentleman from Penn ylvania?

Mr. BROOKS. I think, Mr. Speaker, that an impor-tant bill like this, appropriating over twenty million dol-lars, ought to receive the usual kind of reference to the Committee of the Whole on the state of the Union. It can be disposed of the whole on the state of the Union. It can be disposed of there without unnecessary delay. There are many questions to be asked on this subject.

Mr STEVENS. I move to refer the joint resolution to the Committee of the Whole on the state of the Union,

and to make it a special order for two o'clock to-day. The motion was agreed to. DEPARTMENT OF MISSOURI.

Mr. BLOW, from the Committee of Ways and Means, reported back a bill to provide for the deficiency in the spectred back a bill to provide for the deficiency in the spectration for the pay of officers and men employed in the Western department, or department of Missouri, and asked unanimous consent to have it considered in the House at this time, and to have the privilege of making a lew remarks.

Mr. BLow said: This bill appropriates over seven hun-Mr. BLOW said: This bill appropriates over seven hundred thousand dollars for the payment of the home guards of the State of Missouri. The las Congress appointed a commission to examine and settle their claims; and that commission has made its report, finding that the sum appropriated in this bill is due to these men, the noblest body of men that have ever taken up arms in defence of their country. They are the men who responded to the call of Gen. Nathaniel Lyon in the darkest hour of our country's trial. Since that time the pay to which they are entitled trial. Since that time the pay to which they are entitled has been withheld, and their families have been exposed to want. The action of the commission is final, and therefore there can be no doubt about the propriety of passing this bill. It has been duly considered in the Committee of Ways and Means, and has been found to be correct in all particulars.

Mr. HARDING. I have no objection to the considera Mr. HARDING. I have no objection to the consideration of this bill now, provided the gentieman from Missouri will consent to its being so amended as to extend its provisions to the State of Kentucky, where there are men situated similarly to those in Missouri, and who are entitled to the same measure of relief

Mr BLOW. I would cheerfully consent, if a commission had been appointed in the case of Kentucky and made a report, as in the case of Missouri.

Mr. COX I ask the gentleman from Missouri whether there has been any appropriation made to carry out the

there has been any appropriation made to carry out the

award of the commissioners?

Mr. BLOW. One hundred thousand dollars were ap propriated. The allowed claims amounted to \$800,612, that is, the claims allowed by the commission. The original claims were \$1,500,000. If millions were paid by this Government, it would not remunerate those men for the service which they rendered.

Mr. COX. I do not seek any issue with the gentleman about the merits of the soldiers of Missouri. I know very well the service that they rendered. I do not think that we ought to set a precedent, at this early day of the session, of passing appropriation bills in the House without the usual consideration in the Committee of the Whole or the state of the Union. The bill was referred to the Committee of the Whole.

REBEL STATES.

Mr. YEAMAN offered the following resolutions, and moved the previous question on their adoption:

moved the previous question on their adoption:

Resolved, That a conspiracy of persons, combined together
and assuming the name of a State, or a confederation of
States, for levying war upon the United States, er for withdrawing such States from the Union, does not extinguish the
political franchises of the loyal citizens of such States; and
such loyal citizens have the right, at any time, to administer,
amend, or establish a State government without other condition than that it shall be republican in form.

2. That a formal return or readmission of any State into

tion than that it shall be republican in form.

2. That a formal return or readmission of any State into the Union is not necessary. It is sufficient that the people, or those who are loval in any State, and qualified by the election laws thereof in force before the rebellion, shall, at any time, resume the functions of a State government compatible with the Union, and with the Constitution and laws of the United States; and doing this is sufficient evidence o loyalty for the purpose of doing it.

3. That all questions touching property-rights and interest, arising out of confiscation and emancipation, and the effect and validity of any law, proclamation, military order, emergency of war, or set of rebellion, upon the title to any property, or upon the status of any persons heretofore held to service or labor in any State under the laws thereof, are left for the judicial determination of the courts of the United States.

The previous question was not seconded, and on motion of Mr. LOVEJOY the resolutions were referred to the lect committee on the rebellious States NATIONAL BANKRUPT ACT.

Mr. SPAULDING moved the following resolution, and emanded the previous question on its adoption: Reso'ced. That a select committee of nine be constituted to consider the subject of a national bankrupt act, and to repert thereon by bill or otherwise. The previous question was seconded, and the mair

Mr. HOLMAN moved that the resolution be laid upon the table; which motion was rejected—yeas 69, nays 86.
The question then recurred on the resolution, and it

CONSCRIPTION ACT. Mr. COX. I submit the following resolution, and de-

nend the previous question on its adoption: Resolved, That the Committee on Military Affairs Resolved. That the Committee on Military Affairs inquire into the expe iency of a total repeal of the act of March 3, 1863, for enrolling and calling out the national foles, and for other purpesses; and that, in lieu thereof, they report a bill calling forth the militia of the States to "execut the laws of the Union, and to suppress insurrection," in putuance of the eighth section, article one, of the Constitutio, and providing for the organization, arming, disciplining, ark governing of the said militia, reserving to the States respectively the appointment of the officers, and the authority of training the militia, according to the discipline prescribed by Congress. (fr., it that be not expedient, that said committee inquire, further, into the expediency of repealing so much of said act as allows abstitutes, or exemption for money; so that all citizens owing allegiance shall be liable to serve the Government, without regard to their pecuniary ability to obtain discharge therefrom by the procusation of substitutes or the payment of money; provided, however, that said substitutes and exemption shall not be repealed so faras it relates a the previous question was not seconded: there have

The previous question was not seconded; there being, on a division, syes 41, noes 65, and the resolution lies

PROVISIONAL MILITARY GOVERNMENTS. Mr. ASHLEY introduced a bill to provide for the estab-Mr. ASHLEY introduced a bill to provide for the estab-lishment of provisional military governments over the dis-tricts of country declared by the President's proclamation to be in rebellion agains: the Government of the United States, and to authorize the loyal citizens thereof to or-ganize State governments, republican in form, and for other purposes; which was read a first and second time, and referred to the Committee on Territories.

BUREAU OF MILITARY JUSTICE. Mr. SCHENCK introduced a bill to create a Baread of

Military Justics: which was read a first and second time, and referred to the Committee on Military Affairs. C INSCRIPTION. Mr. SCHENCK asked leave to report, from the Com-

mittee on Military Affairs, a bill to repeal section three and part of section ten of an act entitled "An act for enrolling and calling out the national forces, and for other purpos s.," approved March 3, 1863. Otjection was made.

Mr. SCHENCK then moved that the rules be suspended or the purpose indicated.

The motion was disagreed to, two-thirds not voting in

EXCHANGE OF PRISONERS.

Mr. MILLER, of Pennsylvania, submitted the following resolution, and demanded the previous question on its aloption:

Whereas the entire people of the States still adhering to the Federal Union are sorely exercised by reason of the reported suffering of their brothren now prisoners of war in the Confederale States; and whereas the commonest promptings of humanity should induce the Executive representative of the nation to exhaust every effort to allering the redictional condition and restore them to their homes; and whereas we are well informed that the number of Confederate